



Board of Selectmen Meeting

Monday, November 18, 2019 7:00 PM

36 Bartlet Street, Andover, MA 01810

Selectmen's Conference Room

RECEIVED
TOWN CLERK'S OFFICE

2019 NOV 14 P 3:39

TOWN OF ANDOVER, MASS

- I. Call to Order – 7:00 P.M.
- II. Opening Ceremonies
 - A. Moment of Silence/Pledge of Allegiance
- III. Communications/Announcements/Liaison Reports
- IV. Citizens Petitions and Presentations
- V. Public Hearings
 - A. Fiscal Year 2020 Tax Classification – (5 minutes)

Board to discuss and vote on classification and taxation of all property within the Town.
 - B. Liquor License Hearing – (10 minutes)

Board to discuss and consider voting to approve an application by MRG Asset Holdings, LLC d/b/a Pazzo Pizza Co., 10 Main Street, Andover, MA, for a transfer of an All Alcohol Restaurant Alcoholic Beverage License from Schneidbach Enterprises, LLC, d/b/a Theory Wine Bar + Listening Room, 18 Stratford Road, Andover, MA.
- VI. Regular Business of the Board
 - A. Amendments to the Traffic Rules and Regulations – (10 minutes)

Board to discuss and vote on the following changes to the Traffic Rules and Regulations as proposed by the Andover Safety Officer.

Schedule 1, Article V, Section 2 – Parking

 1. Impose a parking restriction of No Parking approximately 40' from the driveway at 52 Chestnut Street to the corner of Chestnut Street and Whittier Street.

Location: Chestnut Street West side from 52 Chestnut Street to a distance of 40 feet.
 2. Impose a parking restriction of No Parking Here to Corner 80' from the corner of Salem Street and Highland Road 80' south to the driveway at 26 Salem Street.

Location: Salem Street North side from 26 Salem Street to a distance of 80 feet.
 3. Restrict three (3) parking spaces (60 ft. total) in front of 27 Main Street for the purposes of valet parking with the restriction limited to Thursday – Saturday 5 pm – 11pm.

Location: 27 Main Street West side a distance of 60 feet.

- B. Presentation on Town's Actions Relative to Vaping - (10 minutes)
Director of Public Health to present on Town's actions relative to regulating vaping.
- C. Acceptance of Conveyance of Land to the Conservation Commission - (10 minutes)
Board to discuss and consider voting to accept from Raytheon Company the conveyance of a certain parcel of land known as 0 Osgood Street to the Town of Andover, under the care, custody and control of the Andover Conservation Commission under the provisions of General Laws, Chapter 40, Section 8C.
- D. Update on Gas Legislation – (10 minutes)
Board to receive an update on gas safety legislation and consider signing a letter of support.
- E. Town Manager and Select Board Goals Update – (10 minutes)
Town Manager to provide an update on the Town Manager / Select Board strategic goals.
- F. Town Manager Reappointment Public Input and Discussion– (10 minutes)
Board to take public input on Town Manager reappointment and discuss process.

VII. Consent Agenda

A. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved:

Department	Name	Position	Rate/Term	Date of Hire
Department of Public Works	Jeffrey Crane (<i>Morris Gray</i>)	Water Distribution & Waste Collection Superintendent	\$107,132.06/yr	11/19/2019
Facilities	Robert Bouche (<i>Allen Smith</i>)	Refrigeration Apprentice	\$27.09/hour	11/18/2019
Facilities	Jason Royston (<i>Joshua Welch</i>)	Junior Custodian	\$23.62/hour	11/25/2019
Community Development & Planning	Michel Chaput	Alternate Plumbing, Gas & Sewer Inspector	\$40.00/hour	11/14/2019
Community Services – Recreation	Lindsey Langlais	Kid Care	\$18.00/hour	11/19/2019
Community Services – Recreation	Tomas Loureiro	Kid Care	\$12.00/hour	11/19/2019
Community Services – Recreation	Grace Angelo	Kid Care	\$12.00/hour	11/19/2019
Community Services – Youth Services	Ethan Doherty	Seasonal	\$12.00/hour	11/18/2019
Community Services – Youth Services	Jocelyn Pern	Seasonal	\$12.00/hour	11/12/2019

VIII. Approval of Minutes

A. Board to approve minutes from the following meetings:

1. October 7, 2019
2. October 28, 2019

IX. 2020 Board of Selectmen Meetings

A. Board to consider voting to accept the following Board of Selectmen Meeting Schedule:

January 13, 2020
January 27, 2020
February 10, 2020
February 25, 2020 (Tuesday)
March 9, 2020
March 23, 2020

X. Executive Session

- A. Board to vote to go into Executive Session pursuant to Purpose 3 of Massachusetts General Laws, Chapter 30, Section 21(a), for the purposes of discussing confidential legal advice with Town Counsel and litigation strategy in the case filed against opioid manufacturers and distributors, and for the Chair to declare that a public session would have a detrimental effect on the town's litigation strategy, and to return to open session.
- B. Board to vote to go into Executive Session pursuant to Purpose 2 of Massachusetts General Laws, Chapter 30, Section 21(a), to conduct strategy sessions in preparation for negotiations with nonunion personnel, i.e., the Town Manager., and to return to open session.

XI. Open Session

- A. Board to deliberate and consider appointing a two-member sub-committee of the Board of Selectmen; to prepare for and to conduct negotiations with nonunion personnel, i.e., the Town Manager.

XII. Adjourn

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Kathryn Forina in the Town Manager's Office at 978-623-8215 or by email at kathryn.forina@andoverma.us

MEETINGS ARE TELEVISED ON
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45



Town of Andover
BOARD OF SELECTMEN

License and Permit Application Public Hearing Questionnaire

Please be willing and able to address these questions before the Board of Selectmen during your hearing.

Liquor License Application, Renewal, Change of Designated Manager

Name	David Malloy
Address	8 Sawyers Lane, Andover MA 01810
Title	Member/owner
Company	MPG Asset Holdings LLC dba Pazzo Pizza Co.
Are all employees who will be serving alcohol TIPS certified?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the establishment or any employees have any prior violations in terms of liquor license compliance?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, please describe the nature of any violations	
Please describe your business and the plans that have brought you before the Board this evening.	Pazzo Pizza will be a Neapolitan brick oven pizza restaurant, serving pizza, salads, small bites, craft beer, wines and other beverages. Pazzo will seat an estimated 80 customers, 60 seats, 20 bar and do 15% takeout. Our goal is to create a casual atmosphere appealing to the diverse population of Andover (and neighbors), including families and students looking for casual fun atmosphere and great food.
Please provide an overview of qualifications, certifications, and experience of the designated manager of the establishment.	As the primary investor, I have hired Jeff Malloy as general manager. Jeff has 30 years in the restaurant business (Resume attached) I will be active on a day to day basis as well.

JEFF MALLOY

26 Bobby Jones Drive, Andover, MA 01810 ■ H: 617-331-7191 ■ jeffmalloy1@gmail.com

Professional Summary

Skills

- Design large space
- Administration and Management
- Management of Personnel Resources
- Sales and Marketing
- Operation Monitoring
- Interior Design
- Food Cost
- Customer and Personal Service
- Production and Processing
- Food Production
- Quality Control Analysis
- POS system implementation

Experience

Director of Operations, Executive Chef, 03/2016 to 08/2019

La Cucina Italian Eatery & Pastaria – Somerville, MA

Created & delivered the conceptual design & execution of an upscale, high volume Italian Trattoria. Hired & trained staff. Created and executed Brunch, lunch & Dinner menus. Developed the wine program with extensive knowledge of Italian & California wines.

- Oversee activities directly related to making products or providing services.
- Check the quality of raw or cooked food products to ensure that standards are met.
- Check the quantity and quality of received products.
- Supervise or coordinate activities of cooks or workers engaged in food preparation.
- Estimate amounts and costs of required supplies, such as food and ingredients.
- Meet with sales representatives to negotiate prices or order supplies.
- Manage staff, preparing work schedules and assigning specific duties.

Co-owner, Executive Chef, Designer , 01/2013 to 11/2017

Il Forno Cafe & Trattoria – Princeton , NJ

Designed & Created a upscale Italian restaurant in the Suburbs of Princeton,NJ.

Created & delivered the conceptual design & execution of an upscale, high volume Italian Trattoria. Hired & trained staff. Created and executed Brunch, Lunch & Dinner menus.

- Oversee activities directly related to making products or providing services.
- Check the quality of raw or cooked food products to ensure that standards are met.
- Check the quantity and quality of received products. Supervise or coordinate activities of cooks or workers engaged in food preparation.

- Estimate amounts and costs of required supplies, such as food and ingredients.
- Meet with sales representatives to negotiate prices or order supplies.
- Manage staff, preparing work schedules and assigning specific duties.
- Monitor employee and patron activities to ensure liquor regulations are obeyed.
- Monitor food preparation methods, portion sizes, and garnishing and presentation of food to ensure that food is prepared and presented in an acceptable manner.
- Investigate and resolve complaints regarding food quality, service, or accommodations.
- Monitor budgets and payroll records, and review financial transactions to ensure that expenditures are authorized and budgeted.

Owner, Executive Chef, 09/1999 to 07/2017

Carmen Restaurant – Boston , Ma

Designed & Created a 1000Sq/Ft upscale Italian Trattoria in Boston's North End

- Hired & trained staff.
- Created and executed Lunch & Dinner menus.
- Developed the wine program with extensive knowledge of Italian & California wines.
- Oversee activities directly related to making products or providing services.
- Check the quality of raw or cooked food products to ensure that standards are met.
- Check the quantity and quality of received products. Supervise or coordinate activities of cooks or workers engaged in food preparation.
- Estimate amounts and costs of required supplies, such as food and ingredients.
- Meet with sales representatives to negotiate prices or order supplies.
- Manage staff, preparing work schedules and assigning specific duties.
- Collect and deposit money into accounts, disburse funds from cash accounts to pay bills or invoices, keep records of collections and disbursements, and ensure accounts are balanced.

Co-Owner, Executive Chef, 02/2005 to 06/2017

Hot Tomatoes Sandwich Shop – Boston , Ma

Created and Developed 2 locations of this high volume sandwich/pizza shop. Financial District & North End location.

- Hired & trained staff.
- Created and executed menus.
- Oversee activities directly related to making products or providing services.
- Check the quality of raw or cooked food products to ensure that standards are met
- .Check the quantity and quality of received products.
- Supervise or coordinate activities of cooks or workers engaged in food preparation.
- Estimate amounts and costs of required supplies, such as food and ingredients.
- Meet with sales representatives to negotiate prices or order supplies.

- Manage staff, preparing work schedules and assigning specific duties.
- Establish work procedures or schedules and keep track of the daily work of clerical staff.

..... **Education**

Vocational & Culinary Arts - Glen Gardener , NJ

Raritan Valley Community College - Branchburg, NJ

..... **Awards**

- Carmen Restaurant -Zagat Rated 27 for three years
- Carmen Restaurant awarded Best of Boston -5 awards for "Best Neighborhood Restaurant" & "Most Romantic"
- Carmen Restaurant -Improper Magazine
- Carmen Restaurant -Gourmet Magazine
- Carmen Restaurant -Bon Appetit Magazine
- Carmen Restaurant -USA Today

TOWN OF ANDOVER



PUBLIC HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that MRG Asset Holdings LLC, d/b/a Pazzo Pizza Co., 10 Main Street, Andover, MA, has applied for a Transfer of an All Alcohol Restaurant Alcoholic Beverage License from Schneidbach Enterprises, LLC, d/b/a Theory Wine Bar + Listening Room, 18 Stratford Road, Andover, MA. David Malloy, 8 Sawyers Lane, Andover, MA is the proposed designated manager.

The public hearing will be held on November 18, 2019, in Conference Room A on the third floor of the Andover Town Offices, 36 Bartlet Street, Andover, Massachusetts at 7:00 p.m. in accordance with the General Laws relating thereto.

By Order of the
Select Board

Austin Simko
Town Clerk

Date of Issue: Thursday, November 7, 2019

MRG Asset Holdings LLC d/b/a Pazzo Pizza Co.
MOTION

MOTION

I move to approve the application of MRG Asset Holdings LLC d/b/a Pazzo Pizza Co., 10 Main Street, Andover, MA, for a transfer of an All Alcoholic Restaurant Alcoholic Beverage License from Schneidbach Enterprises, LLC, d/b/a Theory Wine Bar + Listening Room, 18 Stratford Road, Andover, MA; and David Malloy, 8 Sawyers Lane, Andover, MA as the designated manager, subject to the condition that all other requirements of the Town are met prior to issuance.

Moved by _____

Seconded by _____

Voted _____ to _____



Andover Police Department

Support Services

Traffic Unit

TO: Andrew Flanagan
FROM: Officer Glen Ota, Safety Officer
RE: Traffic Rule Requests
DATE: October 20, 2019

Request 1:

I have received multiple complaints from motorists about the poor sight lines at the intersection of Whittier Street and Chestnut Street. Operators on the north side of Whittier Street attempting to cross Chestnut Street and travel south, have an obstructed view of vehicles travelling eastbound on Chestnut Street. In order to provide better sight lines at the intersection, I am requesting to make a parking restriction of approximately 40' from the driveway at 52 Chestnut to the corner of Chestnut Street and Whittier Street.

I am requesting the Board of Selectmen review this request for the following additions to Andover parking regulations:

SCHEDULE 1

Article V, Section 2

Parking

Location	Side	From	To	Type
52 Chestnut St	West	52 Chestnut St	a distance of 40 feet	No Parking

Request 2:

I have received multiple complaints from PA faculty and students as well as residents from the area that they have a difficult time trying to cross the street in the crosswalk on Salem Street near Highland Road. In order to provide better sight lines for pedestrians and motor vehicle operators, I am requesting a parking restriction of 80 feet from the corner of Salem Street and Highland Road 80 feet south to the driveway at 26 Salem Street.

I am requesting the Board of Selectmen review this request for the following additions to the Andover parking regulations:

SCHEDULE 1

Article V, Section 2

Parking

Location	Side	From	To	Type
Salem St	North	26 Salem St	a distance of 80 feet	No Parking here to corner

"Creating a safer community through education, enforcement, and engineering."



Andover Police Department

Support Services

Traffic Unit

TO: Andrew Flanagan
FROM: Officer Glen Ota, Safety Officer
RE: Traffic Rule Requests
DATE: October 22, 2019

Request 1:

Paul Larosa, owner of La Fina Restaurant, is requesting 3 valet parking spaces (60 feet total) in front of 27 Main Street. The parking restriction is limited to Thursday-Saturday 5PM-11PM.

I am requesting the Board of Selectmen review this request for the following additions to Andover parking regulations:

SCHEDULE 1

Article V, Section 2

Parking

<i>Location</i>	<i>Side</i>	<i>From</i>	<i>To</i>	<i>Type</i>
27 Main St	West	27 Main St. A distance of 60 feet	No Parking	Thu-Sat 5PM-11PM

QUITCLAIM DEED

RAYTHEON COMPANY, a Delaware corporation with offices at 870 Winter Street, Waltham, MA 02451 ("Grantor"), for consideration paid of less than one hundred dollars, hereby grants to the Inhabitants of the Town of Andover, under the care, custody and control of the Andover Conservation Commission pursuant to Massachusetts General Laws Chapter 40, Section 8C solely for passive recreation and conservation purposes, with an address at 36 Bartlet Street, Andover, MA 01810 ("Grantee"), with quitclaim covenants, a certain parcel of land known as 0 Osgood Street, Andover, MA 01810 (Parcel ID 200 0 5) in Essex County bounded and described as follows:

Beginning at a drill hole at a stone wall at land of John M. and Elizabeth W. Forbes,

Thence by a fence line along said Forbes' land S 82° 12' 26" E 189.89 feet to an iron pipe at Parcel "A";

Thence by Parcel "A" S 21° 14' 19" W, 799.60 feet to an iron pipe at land of Stanley B. Nabydoski;

Thence by land of said Nabydoski, N 62° 16' 53" W, 106.00 feet to an iron pipe at land of Garabed and Benjamin Dargoonian;

Thence by land of said Dargoonian, by two courses as follows:

N 21° 14' 19" E, 621.72 feet to an iron pipe, and

S 88° 33' 09" W, 35.00 feet to an iron pipe at land of aforementioned Forbes;

Thence by land of Forbes, by a stone wall, N 02° 03' 09" E, 143.22 feet to the point of beginning.

Said premises being Parcel "B" as shown on, a plan entitled: Plan of Land in Andover, Massachusetts, owned by Dorothy N. and Vincent Treanor, Jr, by Dana F. Perkins & Sons, Inc., Civil Engineers & Surveyors, Reading and Lowell, Massachusetts, dated April 5, 1971, and containing, according to said Plan 90,352 square feet more or less, with said Plan being attached hereto as Exhibit A.

Being the same premises conveyed from Vincent Treanor, Jr. and Dorothy N. Treanor, husband and wife, to Raytheon Company by deed dated May 15, 1969 in Book 1130, Page 326, as corrected by a confirmatory deed dated May 8, 1973 and recorded in Book 1219, Page 487.

This conveyance is made subject to the following restrictions set forth in said deeds from Vincent Treanor, Jr. and Dorothy N. Treanor which the grantors, their heirs, assigns and successors in title shall have a right to enforce, insofar as the same are in force and applicable:

(a) That the premises herein conveyed shall only be for the purpose of draining surface water and that any such drainage shall be controlled so as not to overflow onto the abutting property of the grantors.

(b) That no building or structure, or any part thereof, shall be erected or placed thereon higher than one (1) foot above the existing ground level, provided, however, that if the abutting property of the grantors, which is retained by the grantors, is rezoned, or a variance granted so that commercial industrial or multiple dwelling use is permitted thereon, then this restriction (b) would terminate.

The grantors expressly reserve and retain, in the conveyed premises, the right to drain onto and into the conveyed premise any surface water which may accumulate on the abutting premises which are retained by the grantors or any water from storm drainage from any streets or ways which may be developed at some future date on said abutting premises retained by the grantors; provided, however, that said drainage shall not overflow out of the premises herein conveyed.

(Remainder of page intentionally left blank)

(Signature pages follow)

IN WITNESS HEREOF, the Grantor has executed this document as of October 23, 2019.

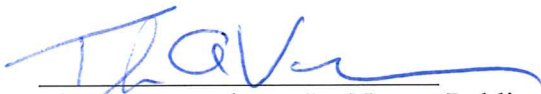
GRANTOR:
Raytheon Company



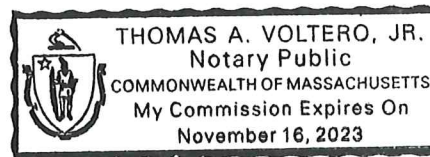
Name: Jerry A. Cellucci
Title: Sr. Director, Corporate Real Estate

COMMONWEALTH OF MASSACHUSETTS

On October 23, 2019 before me, the undersigned Notary Public, personally appeared the above-named Jerry A. Cellucci, proved to me by satisfactory evidence of identification being a driver's license, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as the duly-authorized Sr. Director of Corporate Real Estate for Raytheon Company.



Thomas A. Voltero, Jr., Notary Public
My Commission Expires: November 16, 2023



ACCEPTANCE BY THE BOARD OF SELECTMEN

The Board of Selectmen of the Town of Andover hereby accepts the foregoing conveyance to the Town of Andover to be held under the care, custody and control of the Conservation Commission of the Town of Andover under the provisions of General Laws, Chapter 40, Section 8C.

EXECUTED as an instrument under seal this ____ day of ____, 20__

Town of Andover Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

Essex, ss _____, 20__

On this day, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose, as _____ of the Town of Andover.

Notary Public
My Commission Expires:

ACCEPTANCE BY CONSERVATION COMMISSION

The Conservation Commission of the Town of Andover hereby accepts the foregoing conveyance to the Town of Andover to be held under the care, custody and control of the Conservation Commission under the provisions of General Laws, Chapter 40, Section 8C.

EXECUTED as an instrument under seal this 5th day of Nov, 2019

Town of Andover Conservation Commission

Donald D. Coopers
Thomas Brady
Elken Townson
Kevin J. Porter
Floyd Greenwood
Alexander Driscoll

COMMONWEALTH OF MASSACHUSETTS

Essex, ss

Nov. 5, 2019

On this day, before me, the undersigned notary public, personally appeared Donald D. Coopers, Thomas Brady, Elken Townson, Kevin J. Porter, Floyd Greenwood, Alexander Driscoll, proved to me through satisfactory evidence of identification, which was drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose, as Conservation Commission of the Town of Andover.

Lynn M. Viselli
Notary Public
My Commission Expires: 8/15/2025

EXHIBIT A

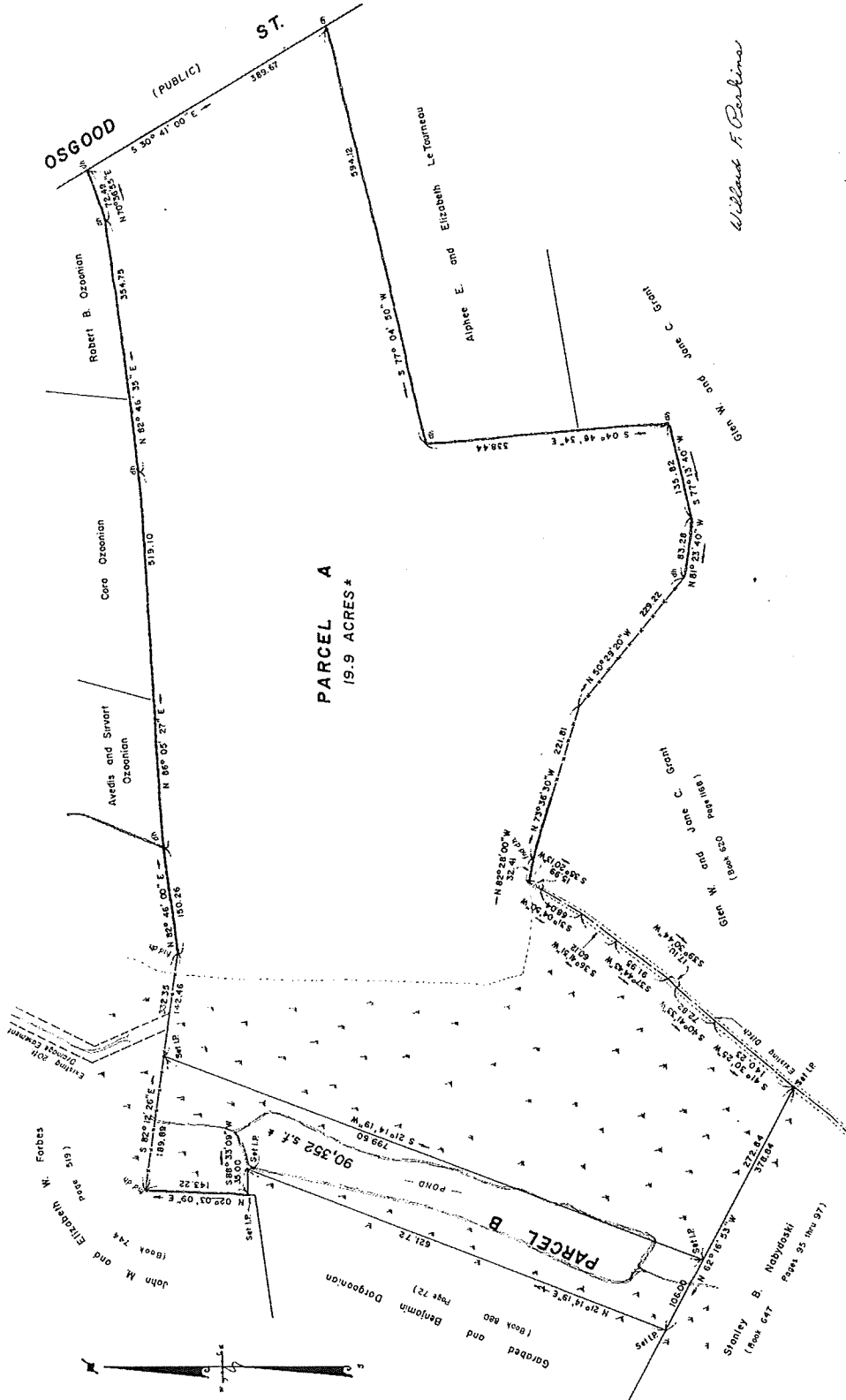
PLAN OF LAND

IN

ANDOVER, MASS.

Owned By
DOROTHY N. & VINCENT TREANOR JR.
SCALE 1"=100' APRIL 5, 1971
DANA F. PERKINS and SONS, INC.
CIVIL ENGINEERS and SURVEYORS
READING - LOWELL, MASS.

— NOTE —
This plan prepared from previous plans of
record and actual survey on the ground



2019-2020 Goals and Objectives

Long Range Financial Planning

Continue adhering to the principles established over the last three years to provide a thoughtful and collaborative approach to the town's financial planning

- Work with the Revenue & Expenditure Task Force for the purposes of facilitating and leading a community discussion on revenue estimates and future structural deficits and potential impacts to service delivery and to develop a **Revenue Recommendation for the FY 2021 Operating Budget**
- Develop a framework and tool for understanding property tax impacts as it relates to both operational and capital budgeting and **develop the FY 2021 budget so that the annual increase in the average tax bill does not exceed that of the ten year average (3.65%) subject to the Board's application of the tax classification shift. Opportunities to mitigate future tax impacts resulting from the Town's unfunded liabilities should be presented to the Board as appropriate**
- Continue to aggressively and creatively address fixed costs and obligations throughout the planning, budgeting, and collective bargaining process and to **provide the Select Board with an update on progress and opportunities to further reduce the Town's unfunded liabilities at Select Board and/or Tri-Board Meeting**

Citizen Response Management and Engagement

Continue to develop citizen response capabilities focused on how we serve the public

- **Launch** new and comprehensive citizen response management function in **summer 2019**
- Begin to design a new approach that centralizes primary customer service functions for residents and businesses who engage with the Town of Andover. Explore investments in technology and realignment of resources to maximize the user experience with Town government and **make appropriate recommendations through the capital improvement program**
- Reorganize existing resources to maximize productivity and **establish efficiencies through collective bargaining** when necessary **(Ongoing)**
- Begin **development of a performance management system** for the purpose of establishing metrics for specific functions of the organization and **provide the Select Board with an update in fall of 2020**
- **Develop and disseminate Citizen Survey** in fall 2019/winter 2020
- Continue to expand effective communication systems with the public through a variety of media, including social and digital media and public forums and information sessions. **(Ongoing)**

Capital Improvements

Develop, maintain and manage a balanced Capital Improvement Program within the limitations of Proposition 2 ½ and develop plans for future exempt building projects

- **Manage the transition** to the new Municipal Services Facility from the existing Town Yard
- Finalize the design for the renovation and expansion of the Senior Center and **begin construction in winter 2020**. Effectively implement the transition plan for Elder Services Division as a result of the project over the fall of 2019 and the winter of 2020.
- Finalize the design for the new Ballardvale Fire Station and **begin construction in winter 2020**
- Plan for functionality improvements to Town Offices with a focus on meeting space, customer service, and user experience, and **develop plan for implementation in fall of 2020**
- **Begin to implement the Gas Disaster Recovery Plan** and **provide incremental updates** to the Select Board
- **Develop plan** for new sidewalk installations as part of the FY 2021-FY2025 Capital Improvement Program

- Work with the School Committee, West Elementary Building Committee, and Andover High School Building Committee to identify funding strategies for school building projects.

Downtown Andover & Historic Mill District

Continue to seize opportunities for business development in our downtown that creates a downtown experience that is consistent with the 2012 Master Plan

- **Finalize, design and manage the parking and hardscape improvement project** behind Old Town Hall
- **Finalize a community-authored RFP** guiding disposition and redevelopment of the Old Town Yard site in **anticipation of fall 2019 Special Town Meeting**. The redevelopment will increase connectivity between the downtown and the Historic Mill District and transform the parcel into a vibrant gateway to the heart of the community.
- Pending Town Meeting approval, **develop plan and process for disposition of 11 Lewis Street**

River and Open Space Access

Enhance recreational opportunities by increasing access to our waterfronts and open space

- **Finalize, design and develop budget and plan** for Merrimack River Access Project along the Heffron Right of Way and the Greater Lawrence Technical School easement
- Increase access to our region's most scenic resources by constructing public pathways for recreation **(Ongoing)**

Energy & Sustainability

Continue to adhere to and expand upon the principles of being a Green Community, including investment in fuel efficient vehicles and alternative energy sources and identify dedicated resources within the FY 2020 budget to support these efforts

- **Identify a dedicated funding resource to advance Town wide Sustainability goals**, including personnel changes and/or the execution of contract(s) for professional services, which shall be funded within the FY 2020 approved budget, while not increasing the number of full time, benefited employees and seeking available private and public grants and regional opportunities.
- **Identify a Sustainability Coordinator to develop a climate and sustainability action plan** to address climate impacts, disaster preparedness, and sustainability for town and residents
- Work with Andover Green Advisory Board to evaluate Community Choice Aggregation options and **make recommendation to the Select Board in fall of 2019**
- Explore opportunities to invest in Climate Resiliency through the Municipal Vulnerability Preparedness (MVP) grant program and **submit application for funding to support recommendations of the plan**
- **Develop a plan and scope for a Street Tree program** including establishing a budget that plans for the removal of hazardous trees and the replanting of trees that are appropriate for their surroundings and environment

Select Board
Minutes of October 7, 2019
Regular Session

I. Call to Order

Chairperson Laura Gregory called the meeting of the Select Board to order at 7:02 P.M. in the 3rd Floor Conference Room located at Town Offices. Present from the Select Board: Alex Vispoli, Dan Koh, Annie Gilbert, Chris Huntress, and Laura Gregory.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Town Counsel Tom Urbelis, Town Clerk Austin Simko. The meeting was duly posted and cablecast live.

II. Executive Session

Annie Gilbert moved for the Select Board go into executive session pursuant to Purpose (3) of the Massachusetts General Laws, Chapter 30, Section 21 (a), for the purposes of discussing confidential legal advice with Town Counsel and potential litigation strategy, and to consider voting on the Executive Session Minutes of April 11, 2019 and for the Chair to declare that a public session would have a detrimental effect on the Town's potential litigation position and return to public session. The Chair so declared that a public session would have a detrimental effect on the Town's litigation position. The motion was seconded by Chris Huntress. Roll call: A. Vispoli-Y, A. Gilbert-Y, C. Huntress-Y, P. D. Koh-Y, and L. Gregory-Y.

The Board reconvened in open session at 7:40 P.M.

III. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by Pledge of Allegiance.

IV. Communications/Announcements/Liaison Reports

The Town Manager provided updates on Columbia Gas abandoned gas lines, the aftermath of gas leaks on 9/29/19 in Lawrence, and a moratorium was imposed last Friday on any work conducted by Columbia Gas (CG) across the Commonwealth. Columbia Gas reported that there are potentially 182 abandoned lines installed with the new lines in Andover. As of today, 132 lines have been inspected, 103 disconnected from the main, 18 were not, 114 were completely resolved, another 17 clarified for further inspection (dig in street). Columbia Gas plans to expedite the work.

Gas Leak: When CG installed the new distribution system they tied into the sleeve in some places because they were not fully decommissioned from the old line. All six of Andover lines found were filled with concrete and CG workers conducted an actual walk of the distribution system to further verify. The old valves have been decommissioned.

The State DPW has placed a moratorium on CG conducting any work across the Commonwealth. CG will apply through the State DPU to conduct any work (High Plain Road work is one of the sites).

Chris Huntress announced that the ABC House (A Better Chance) is holding its annual fundraiser on Nov 9th at the Andover Town House. Donations or tickets can be picked up at AndoverABC.org.

Annie Gilbert said a public brainstorming session on the Indian Ridge Playground located on Cuba Street will be held on Tuesday, October 14th at 7:30 PM at the Senior Center Four Seasons Room. She also reported that the Mass School Building Authority (MSBA) visited AHS last week and asked questions about the school prior to the tour which went very well. MSBA is expected to announce the schools they will be funding at their December meeting.

Don Koh asked everyone to please keep Don Robb in their thoughts, as he has received some bad news about his health.

Alex Vispoli talked about the warehouses being proposed in the Burt Road area, there are still traffic concerns for that area which is only accessible through River Street, and asked about available options to regulate traffic flow. In addition, he asked about the status of sidewalks for Odyssey Way and Taylor Cove and included in the sidewalk plan in the CIP. The Town Manager said he will ask the traffic unit to check the area and will speak with their regional partners to see if there is any way to redirect the traffic and look at the sidewalk plan. Chris Huntress will write a summary of what the issues. Originally, there was a tri-town agreement proposed to address these concerns.

Laura Gregory spoke about the actions taken by the Governor on vaping issues and asked the Town Manager to prepare a presentation for the Board.

V. **Citizen Petitions and Presentations** none

VI. **Regular Business of the Board**

A. **Halloween Trick-or-Treating**

On a motion by Chris Huntress and seconded by Dan Koh, the Board voted 5-0 to set the date for Trick-or-Treating to October 31, 2019 from 4:00 P.M. to 6:00 P.M. in compliance with the Triple E threat. Tom Carbone, Public Health Director, said if conditions change over the next few weeks they will issue a recommendation.

B. **Citizen Petitions and Presentations Policy**

The Board discussed revisions on the current Policy for Citizen Participation and the Public Comments.

Alex Vispoli prefers to leave it up to the Chair to moderate the time given for discussion to prevent unintentional bias the public to say what they want to say without a 3-minute limit. Dan Koh proposed speakers be given a target of 3 minutes to present their material without

a hard-stop. Annie Gilbert supports having some framework that the Chair could turn to that would enhance everyone's opportunity to speak. Chris Huntress has always understood that the Chair had the ability to restrict speaking time and make the discretionary call to have a time limit.

The Board proposed amending the Citizens Petitions and Presentation Policy by revising Item #2 as follows: The presiding Chair may limit a speaker's time providing that same limitation is applied to each speaker who chooses to speak on that same issue without regard.

Item #5 – Remove the last sentence that begins with Under most circumstances.

Annie Gilbert moved to approve the Selectmen's Public Comment Guidelines Policy 1.6 as amended and discussed. Motion seconded by Chris Huntress and voted 4-0-1 approved. Laura Gregory opposed.

C. Town Election and Annual Town Meeting Calendar

Austin Simko shared the Town Election and Annual Town Meeting Calendar for 2019.2020. There will be four elections in 2020. Due to renovations at the Center at Punchard that precinct may be changed (to Cormier Youth Center) and Precinct 3 may be moved. Early voting will be available in the lead up to the November election, and include early voting for the September primary. It is unlikely there will be early voting for the March presidential primary.

Alex Vispoli moved to approve and adopt the Town Election and Annual Town Meeting Calendar as printed. Motion seconded by Chris Huntress voted 5-0 to approve.

D. Zoning Board of Appeals Appointments

Zoning Board of Appeals Subcommittee (Chris Huntress and Alex Vispoli) to recommend the appointments of three members to the Zoning Board of Appeals. Six great individuals were interviewed and the plan is to notify everyone tomorrow morning of their decision. Alex and Chris thanked everyone who participated in the process.

Chris Huntress moved to confirm for a 3-year term on the Andover Zoning Board of Appeals: Carol McDonough, Member/Clerk, Lisa Rechisky, Member, and David Guerette, Associate. The motion was seconded by Annie Gilbert and voted 5-0 to approve.

VII. Appointments by the Town Manager

Dan Koh moved that the following appointments by the Town Manager be approved. The motion was seconded by Annie Gilbert and voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Andover Green Advisory Board	Maria Bartlett	Member	Three years	10/8/19
Andover Green Advisory Board	Jonathan Unger	Member	Three years	10/8/19
Preservation Commission	Joann Michalik	Member	Three years	10/8/19
Facilities	Wilfredo Abreu (Joseph Thompson)	Junior Custodian	\$23.37/hour	10/21/19
Community Services - Elder Services	Kusum Basra	Office Assistant	\$22.11/hour	10/15/19
Community Development and Planning	Dena O'Neil	Substitute Administrative Secretary	\$19.30/hour	10/9/19
Community Development and Planning	Gerri Bellavia	Substitute Administrative Secretary	\$19.30/hour	10/9/19
Community Services - Recreation	Rebecca Griffin	Kid Care	\$25.00/hour	9/30/19
Community Services - Recreation	Nathalie Zannini	Kid Care	\$25.00/hour	9/30/19
Community Services - Recreation	Wendy Venti	Kid Care	\$20.00/hour	9/30/19
Community Services - Recreation	Songy Choi	Kid Care	\$12.00/hour	9/30/19
Community Services - Recreation	Zephyr Flanigan	Kid Care	\$12.00/hour	9/30/19
Community Services - Recreation	Autumn King	Kid Care	\$12.00/hour	9/30/19

VIII. Approval of Minutes

On a motion by Chris Huntress and seconded by Dan Koh, the Board voted 5-0 to approve the minutes of April 8, 2019 as presented.

IX. Executive Session

Annie Gilbert moved that the Board vote to go into Executive Session pursuant to Purpose 2 of Massachusetts General Laws, Chapter 30, Section 21(a), to conduct strategy sessions in preparation for negotiations with nonunion personnel, i.e., the Town Manager, and to return to open session. Motion seconded by Alex Vispoli.
Roll call: A. Gilbert-Y, D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, L. Gregory-Y.

X. **Open Session**

A. Deliberation on and appointment of a two-member sub-committee of the Board of Selectmen; to prepare and to conduct negotiations with non-union personnel, i.e., the Town Manager.

Laura Gregory reported the Board will not vote on this item in open session this evening as part of the process to re-appoint the Town Manager. The Board will take public input at two Select Board meetings with more opportunities to provide input after that. After all input has been received, the Select Board will vote to decide how to proceed on the reappointment of the Town Manager.

XI. **Adjourn**

At 9: 07 P.M. on a motion by Chris Huntress and seconded by Dan Koh, the Select Board voted 5-0 to adjourn from the meeting of October 7, 2019.

Respectfully submitted,

Dee DeLorenzo
Recorder

Select Board
Minutes of October 28, 2019
Regular Session

I. Call to Order

Chairperson Laura Gregory called the meeting of the Select Board to order at 7:00 P.M. in the Select Board's Meeting Room located at Town Offices. Present from the Select Board: Alex Vispoli, Dan Koh, Annie Gilbert, Chris Huntress, and Laura Gregory.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Town Counsel Tom Urbelis, Town Clerk Austin Simko. The meeting was duly posted and cablecast live.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

Laura Gregory announced that the Select Board is beginning the reappointment process for the Town Manager and seeking public input. Input can be sent to the Board via email at TMINPUT@andoverma.us which go to the Select Board only. At the beginning of the November 4th Select Board Meeting, there will be an opportunity for public input; which the Board looks forward to receiving.

The Town Manager said the FY-21 budget process has begun and the CIP will be released on Friday, November 1st and available on the Town's website. The Select Board will receive hardcopies of the CIP along with a high-level overview at their meeting on Monday, November 4, 2019. Town Accountant Haley Green and Retirement Board Member Tom Hartwell will present an update on the Pension/OPEB.

Columbia Gas Update: Andrew reported that the process by Columbia Gas to identify and decommission abandoned lines has put a significant strain on our paving program schedule, along with the weather. The expectation is that paving will be completed by the end of the fall season. Andrew also reported on the status of the CG abandoned lines: Group 1: Verification of 183 lines has been completed. Of the other 420 lines, 270 were completed, 186 abandoned, 56 were not. There have been issues with contacting some of the residents.

Downtown Trick or Treat will be held on Wednesday, October 31st from 3:30-5:00 P.M. and Holiday Happenings has been scheduled for Friday, December 13th from 4:00-8:00 P.M.

The Town Manager acknowledged Town Counsel Tom Urbelis who has been selected to the Massachusetts Super Lawyers list, an honor reserved for those lawyers who exhibit excellence in practice. Super Lawyers Magazine selects attorneys using a patented multi-phase selection process. Each candidate is evaluated on 12 indicators of peer recognition

and professional achievement with only 5% of attorneys in Massachusetts receiving this distinction. Congratulations to Tom.

Austin Simko and Mike Lindstrom have been working with students at U/Mass Lowell to construct a citizen survey to go out to Andover residents. The questions are varied and the method is a two-prong approach. Anyone can go online and take the survey and the other method is a scientific sample using Town Census Data of 2,500 sample names. The survey will be distributed to citizens this fall and analyzed in the winter.

Tom Urbelis announced that the Town has filed a lawsuit in Federal District Court against more than 15 manufacturers and distributors of opioids. The claim is that the defendants mischaracterized and failed to disclose the known serious risk of addiction and that by increasing opioid prescriptions and use, the defendants collectively fueled the opioid epidemic and significantly harmed Andover. The Town is seeking damages including its increased costs as a result of the defendants' misconduct. The complaint filed by the Town will be available on the Town's website.

Chris Huntress met with DPW Director Chris Cronin to review drafts of applications from Columbia Gas and N-Grid to streamline the approval process and confirm that checks and balances are in place. Chris said he has received very good feedback about the new downtown parking apps.

Dan Koh said the ACE Scarecrow Festival was a great event and it was enjoyable to walk downtown and see lots of people in the downtown area.

Congratulations to Mark Comeiro, Director of Veteran Affairs, who organized the Purple Heart Ceremony held on Saturday to honor the Town's military service history and designation as a Purple Heart Community. Andover will display a sign marking its designation, fly a Purple Heart Flag, and recognize August 7th as the annual Purple Heart Day making it part of the Purple Heart Trail. The ceremony was attended by four of Andover's Purple Heart recipients along with other veterans. Laura Gregory is looking forward to including the Purple Heart Families in our Veteran's Day Program.

Residents on Enmore Street have been impacted by the torn up roadways have an additional complication with the sewer pipe that services Merrimack College. The residents want to facilitate a meeting with the neighborhood to agree on the sidewalk layout and are waiting to hear from Chris Cronin. They are looking for a contact name to send the request to.

IV. Citizens Petitions and Presentations

None

V. Regular Business of the Board

A. Andover Fire Rescue Ambulance Fees

Chief Mansfield sent a letter to the Town Manager on October 1st requesting an increase in ambulance fees that included a spreadsheet with current and recommended rates and a comparison of rates charged in seven other communities.

The last rate increase was in 2012. Andover's rates are still only 1/3 to 1/5 of what would be charged if someone used a private ambulance for transport, and 41% of the service cost are covered by insurance. They also have a process to assist hardship case with paying the bill. The Chief is requesting an increase of 10-12%. The Board will take the request under advisement and vote at the November 4th meeting. This is a first reading – no vote to be taken tonight.

B. Naming of the Senior Center

Pursuant to the Board's recently adopted policy on the naming of public facilities, the Town Manager has submitted a request to the Board to name the renovated Senior Center after Don Robb and his wife Victoria Robb. Don was intimately involved in all aspects of the Town for many years having served on many, many boards in the community as well as elected boards to improve the quality of life and to bring positive change to the community. Don was deeply involved at the senior center and a member of the Council on Aging.

Laura Gregory asked that information on Don Robb be put on the website so the community can read about his many years of community service. Don always had the best interest of Andover at heart, and was a great listener. All members of the Board are in support of this request.

Alex Vispoli moved that the Board name the renovated senior center the "Robb Center". The motion was seconded by Dan Koh and voted 5-0 to approve.

C. Purple Heart Community Proclamation

Board to discuss and consider voting to proclaim Andover, Massachusetts a Purple Heart Community and to recognize August 7th annually as Purple Heart Day. Laura Gregory read the proclamation on the Purple Heart Community.

Chris Huntress moved to proclaim Andover, Massachusetts a Purple Heart Community honoring the service and sacrifice of our Nation's men and women in uniform that were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans. The Town of Andover will recognize August 7th annually as Purple Heart Day. The motion was seconded by Dan Koh and unanimously voted to approve.

D. Disposition of Town Yard Land

The Town Manager sent a memo to the Board with his recommendation to sell 11 Lewis Street, as opposed to leasing, for disposition of the Town Yard Land. The Town Yard is a key component of the Historic Mill District and is essential to the revitalization of that area. All requirements for a warrant article will be finalized for Town Meeting.

Austin Simko presented information on the factors involved for leasing or selling the Town Yard and shared information obtained through the Historic Mill District Context Public Engagement process. The overlay district was approved in 2015, the Planning Board approved Design Guidelines in 2018, the Traffic and Circulation Study conducted in 2018/2019. The Strategic Place-making study is completed, as is the sewer /water and

environmental study. They have held 45 public engagement meetings. They believe that the sale of the land would be more beneficial to the Town than a lease.

The method of disposition is the key term in the RFP and pulls together all the elements. The RFP will include the qualifications of the developer, the development proposal, financial feasibility analysis, and price proposal. The RFP will show the community the core objectives that need to be shown by the developer and the criteria the successful developer would meet in order to be considered. This is the first step in the method of disposition. The presentation has been shown to the Planning Board and the Historic Mill District Committee and the vote has been to sell the property.

Annie Gilbert moved that the Select Board vote to endorse the sale of 11 Lewis Street. The motion was seconded by Dan Koh and unanimously approved.

E. Useful Life Vote

Finance Director Donna Walsh, explained the request to extend the borrowing of certain equipment to (10) ten years from the usual five years which requires a vote of the Board.

Dan Koh, Clerk of the Select Board of the Town of Andover, Massachusetts, certified that at a meeting of the Board held on October 24, 2019, of which meeting all members of the Board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appears upon the official record of the Board in my custody:

Dan Koh moved that the maximum useful life of the department equipment listed below to be financed with the proceeds of a borrowing authorized by the vote of the Town passed April 30, 2018 is hereby determined pursuant to G.L. c.44, &7 (1) to be as follows.

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Mack Dump Truck	\$170,000	10 Years
Mack RD690 Dump Truck	\$210,000	10 Years
Mack RD690P Dump Truck	\$175,000	10 Years

and also proposed a vote that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of borrowing authorized by the votes of the Town passed April 30, 2019 is hereby determined pursuant to G.L. c.44,&7(1) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
DPW Vehicle – Loader	\$180,000	10 Years
DPW Vehicle – Sweeper	\$200,000	5 Years

The motion was seconded by Annie Gilbert and voted 3-2 to approve. Chris Huntress and Alex Vispoli opposed.

and Dan Koh further certified that the votes were taken at an open meeting to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and

agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays, and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the subject matter of this vote were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

The Chair of the Select Board so declared that the motion passed on a vote of 3-2.

VI. Consent Agenda

A. Appointments by the Select Board

On a motion by Annie Gilbert and seconded by Chris Huntress the Board voted 5-0 to approve the annual appointment and re-appointment of Election Officers pursuant to MGL Chapter 54, Section 12, as printed in the consent agenda and as recommended by the Town Clerk:

Department	Name	Position	Rate/Term	Date of Hire
Town Clerk's Office	William Profenna	Pollworker	\$9.25/hour	10/29/19

B. Appointments by the Town Manager

Chris Huntress moved for the Board to vote that the following appointments by the Town Manager be approved. The motion was seconded by Dan Koh and voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Board of Health	Deborah Enegeess (Carolyn Dymond)	Member	Term Expires 6/30/2022	10/28/2019
Greater Lawrence Sanitary District	Christopher Cronin	Member	Three years	10/28/2019
2020 Census Complete Count Committee	Austin Simko	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Brian Major	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Tana Goldberg	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Barbara McNamara	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Nicole Kieser	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Ann Ormond	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Rebecca Backman	Member	Term expires 6/30/2020	10/28/2019

2020 Census Complete Count Committee	Dana Walsh	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	David Golden	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Anthony DiCenso	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Yican Cao	Member	Term expires 6/30/2020	10/28/2019
2020 Census Complete Count Committee	Champa Bilwakesh	Member	Term expires 6/30/2020	10/28/2019
Fire Rescue	Christopher Carbone (Benjamin Perkins)	Firefighter	\$62,977.15/yr	11/3/2019
Fire Rescue	Mathew Companschi (Christopher LaVerde)	Firefighter	\$58,977.15/yr	11/3/2019
Fire Rescue	Adam Cole (Joseph Cahill)	Firefighter	\$58,977.15/yr	12/1/2019
Facilities	Abimael Pizoni (Joseph Sgrossso)	Carpenter	\$62,523.00/yr	11/11/2019
Facilities	Joshua Welch (Leo Lynch)	Inventory Assistant / Driver	\$56,005.38/yr	11/04/2019
Community Services – Recreation	Bianca Arsenault	Kid Care	\$17.25/hour	10/28/2019
Community Services – Recreation	Kathleen Newcomb	Kid Care	\$15.75/hour	10/28/2019
Community Services – Recreation	Talah Alamleh	Kid Care	\$12.75/hour	10/28/2019
Community Services – Recreation	Ava Trapp	Kid Care	\$12.00/hour	10/28/2019
Community Services – Recreation	Anna MacDonald	Kid Care	\$12.00/hour	10/28/2019

VII. Approval of Minutes

On a motion by Annie Gilbert and seconded by Chris Huntress the Select Board voted 5-0 to approve the Regular Minutes of September 10, 2019 with revisions.

VIII. Executive Session

Chris Huntress moved to go into Executive Session for confidential communication with Town Counsel pursuant to Purpose 6 of Massachusetts General Laws, Chapter 30, Section 21(a), to discuss the purchase, exchange, lease or value of real property and that the Chair declare that an open session may have a detrimental effect on the negotiating position of the Town and not to return to open session. Motion seconded by Alex Vispoli. The Chair so declared that an open session would have a detrimental effect on the negotiating position of the Town. Roll call: C. Huntress-Y, A. Vispoli-Y, D. Koh-Y, A. Gilbert-Y, L. Gregory-Y.

IX. Adjourn

The Select Board adjourned from the Regular Meeting at 8:50 P.M. to move into Executive Session not to return to Open Session.

Respectfully submitted,

Dee

Dee DeLorenzo

Recording Secretary

Documents: Andover Fire Rescue Letter from Chief Mansfield
 Facility Naming Proposal Letter from Town Manager